

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BANKERS STANDARD INSURANCE)
COMPANY,)
)
Plaintiff,) No. 3:13-cv-1199
)
vs.) JURY DEMAND
)
MTD (USA) CORPORATION, et al,) JUDGE NIXON
)
) MAGISTRATE JUDGE GRIFFIN
Defendants.)

ANSWER OF MTD (USA) CORPORATION

Comes now the Defendant MTD (USA) Corporation, (hereinafter referred to as "MTD"), by and through counsel, and hereby submits its Answer to the Complaint as follows:

PARTIES

1. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Complaint.
2. Admitted.
3. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of the Complaint.
4. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Complaint.
5. Admitted.

JURISDICTION

6. Admitted.
7. Admitted as to this defendant.
8. MTD denies that it caused “tortious injury.” MTD does not contest jurisdiction.
9. MTD denies any and all allegations of liability contained in Paragraph 9 of the Complaint but admits that the alleged damages occurred in Tennessee.
10. Denied.
11. MTD admits that jurisdiction is proper in this court. The remaining allegations contained in Paragraph 11 of the Complaint are denied.
12. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the Complaint.
13. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the Complaint.
14. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of the Complaint.
15. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 15 of the Complaint.
16. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16 of the Complaint.
17. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 of the Complaint.
18. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18 of the Complaint.

19. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the Complaint.

20. Admitted.

21. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 21 of the Complaint.

22. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22 of the Complaint.

23. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 23 of the Complaint.

24. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 of the Complaint.

25. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 25 of the Complaint.

26. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Complaint.

27. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 27 of the Complaint.

28. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 28 of the Complaint.

29. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29 of the Complaint.

30. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30 of the Complaint.

31. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31 of the Complaint.

32. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32 of the Complaint.

33. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 33 of the Complaint.

34. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 34 of the Complaint.

35. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 35 of the Complaint.

36. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 36 of the Complaint.

37. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 of the Complaint.

38. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 38 of the Complaint.

39. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39 of the Complaint.

40. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 of the Complaint.

41. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41 of the Complaint.

COUNT I
NEGLIGENCE AGAINST MTD (USA) CORPORATION

42. MTD adopts and incorporates by reference its responses to Paragraphs 1-41 of the Complaint in response to the allegations in Paragraph 42 of the Complaint.

43. MTD admits that it sold or distributed products similar to the subject product. MTD denies the remaining allegations contained in Paragraph 43 of the Complaint.

44. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 44 of the Complaint.

45. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 45 of the Complaint.

46. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 46 of the Complaint.

47. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 47 of the Complaint.

48. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 48 of the Complaint.

49. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 49 of the Complaint.

50. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50 of the Complaint.

51. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 51 of the Complaint.

52. Denied.

53. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 53 of the Complaint.

54. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 54 of the Complaint.

55. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 55 of the Complaint.

56. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 56 of the Complaint.

57. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 57 of the Complaint.

COUNT II
STRICT LIABILITY AGAINST MTD (USA) CORPORATION

58. MTD adopts and incorporates by reference its responses to Paragraphs 1-57 of the Complaint in response to the allegations contained in Paragraph 58.

59. Based upon information and belief, MTD admits that it distributes/sells this type of product to Interline for retail sale. MTD is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 59 of the Complaint.

60. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 60 of the Complaint.

61. MTD admits that it distributes/sells the type of product at issue. MTD does not admit that it distributed/sold the actual product.

62. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 62 of the Complaint.

63. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 63 of the Complaint.

64. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 64 of the Complaint.

65. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 65 of the Complaint.

66. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 66 of the Complaint.

67. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 67 of the Complaint.

68. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 68 of the Complaint.

69. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 69 of the Complaint.

70. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 70 of the Complaint.

71. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 71 of the Complaint.

72. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 72 of the Complaint.

73. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 73 of the Complaint.

74. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 74 of the Complaint.

75. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 75 of the Complaint.

76. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 76 of the Complaint.

COUNT III
BREACH OF EXPRESS WARRANTY AGAINST MTD (USA) CORPORATION

77. MTD adopts and incorporates by reference its responses to Paragraphs 1-76 of the Complaint in response to the allegations contained in Paragraph 77.

78. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 78 of the Complaint.

79. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 79 of the Complaint.

80. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 80 of the Complaint.

81. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 81 of the Complaint.

82. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 82 of the Complaint.

83. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 83 of the Complaint.

84. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 84 of the Complaint.

85. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 85 of the Complaint.

86. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 86 of the Complaint.

87. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 87 of the Complaint.

88. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 88 of the Complaint.

89. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 89 of the Complaint.

90. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 90 of the Complaint.

COUNT IV
BREACH OF IMPLIED WARRANTY AGAINST MTD (USA) CORPORATION

91. MTD adopts and incorporates by reference its responses to Paragraphs 1-90 of the Complaint in response to the allegations contained in Paragraph 91.

92. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 92 of the Complaint.

93. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 93 of the Complaint.

94. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 94 of the Complaint.

95. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 95 of the Complaint.

96. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 96 of the Complaint.

97. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 97 of the Complaint.

98. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 98 of the Complaint.

99. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 99 of the Complaint.

100. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 100 of the Complaint.

101. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 101 of the Complaint.

102. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 102 of the Complaint.

103. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 103 of the Complaint.

104. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 104 of the Complaint.

105. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 105 of the Complaint.

COUNT V
NEGLIGENCE AGAINST ZHEJIANG DINGBO PLUMBING
MANUFACTURING CO., LTD

106. MTD adopts and incorporates by reference its responses to Paragraphs 1-105 of the Complaint in response to the allegations contained in Paragraph 106.

107. Based upon information and belief, MTD admits that Defendant Zhejiang Dingbo Plumbing Manufacturing Co., LTD, manufactures products similar to the subject product. MTD is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 107 of the Complaint.

108. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 108 of the Complaint.

109. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 109 of the Complaint.

110. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 110 of the Complaint.

111. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 111 of the Complaint.

112. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 112 of the Complaint.

113. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 113 of the Complaint.

114. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 114 of the Complaint.

115. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 115 of the Complaint.

116. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 116 of the Complaint.

117. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 117 of the Complaint.

118. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 118 of the Complaint.

119. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 119 of the Complaint.

120. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 120 of the Complaint.

121. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 121 of the Complaint.

COUNT VI
STRICT LIABILITY AGAINST
ZHEJIANG DINGBO PLUMBING MANUFACTURING CO., LTD

122. MTD hereby incorporates by reference its responses to Paragraphs 1-121 of the Complaint in response to the allegations contained in Paragraph 122.

123. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 123 of the Complaint.

124. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 124 of the Complaint.

125. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 125 of the Complaint.

126. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 126 of the Complaint.

127. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 127 of the Complaint.

128. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 128 of the Complaint.

129. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 129 of the Complaint.

130. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 130 of the Complaint.

131. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 131 of the Complaint.

132. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 132 of the Complaint.

133. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 133 of the Complaint.

134. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 134 of the Complaint.

135. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 135 of the Complaint.

136. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 136 of the Complaint.

137. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 137 of the Complaint.

138. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 138 of the Complaint.

139. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 139 of the Complaint.

140. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 140 of the Complaint.

COUNT VII
BREACH OF EXPRESS WARRANTY AGAINST
ZHEJIANG DINGBO PLUMBING MANUFACTURING CO., LTD

141. MTD hereby incorporates by reference its responses to Paragraphs 1-140 of the Complaint in response to the allegations contained in Paragraph 141.

142. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 142 of the Complaint.

143. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 143 of the Complaint.

144. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 144 of the Complaint.

145. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 145 of the Complaint.

146. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 146 of the Complaint.

147. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 147 of the Complaint.

148. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 148 of the Complaint.

149. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 149 of the Complaint.

150. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 150 of the Complaint.

151. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 151 of the Complaint.

152. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 152 of the Complaint.

153. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 153 of the Complaint.

154. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 154 of the Complaint.

COUNT VIII
BREACH OF IMPLIED WARRANTY AGAINST
ZHEJIANG DINGBO PLUMBING MANUFACTURING CO., LTD

155. MTD hereby incorporates by reference its responses to Paragraphs 1-154 of the Complaint in response to the allegations contained in Paragraph 155.

156. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 156 of the Complaint.

157. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 157 of the Complaint.

158. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 158 of the Complaint.

159. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 159 of the Complaint.

160. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 160 of the Complaint.

161. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 161 of the Complaint.

162. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 162 of the Complaint.

163. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 163 of the Complaint.

164. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 164 of the Complaint.

165. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 165 of the Complaint.

166. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 166 of the Complaint.

167. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 167 of the Complaint.

168. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 168 of the Complaint.

COUNT IX
NEGLIGENCE AGAINST INTERLINE BRANDS, INC.

169. MTD adopts and incorporates by reference its responses to Paragraphs 1-168 of the Complaint in response to the allegations contained in Paragraph 169.

170. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 170 of the Complaint.

171. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 171 of the Complaint.

172. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 172 of the Complaint.

173. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 173 of the Complaint.

174. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 174 of the Complaint.

175. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 175 of the Complaint.

176. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 176 of the Complaint.

177. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 177 of the Complaint.

178. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 178 of the Complaint.

179. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 179 of the Complaint.

180. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 180 of the Complaint.

181. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 181 of the Complaint.

182. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 182 of the Complaint.

183. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 183 of the Complaint.

184. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 184 of the Complaint.

COUNT X
STRICT LIABILITY AGAINST INTERLINE BRANDS, INC.

185. MTD hereby incorporates by reference its responses to Paragraphs 1-184 of the Complaint in response to the allegations contained in Paragraph 185.

186. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 186 of the Complaint.

187. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 187 of the Complaint.

188. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 188 of the Complaint.

189. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 189 of the Complaint.

190. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 190 of the Complaint.

191. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 191 of the Complaint.

192. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 192 of the Complaint.

193. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 193 of the Complaint.

194. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 194 of the Complaint.

195. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 195 of the Complaint.

196. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 196 of the Complaint.

197. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 197 of the Complaint.

198. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 198 of the Complaint.

199. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 199 of the Complaint.

200. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 200 of the Complaint.

201. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 201 of the Complaint.

202. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 202 of the Complaint.

203. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 203 of the Complaint.

COUNT XI
BREACH OF EXPRESS WARRANTY AGAINST INTERLINE BRANDS, INC.

204. MTD hereby incorporates by reference its responses to Paragraphs 1-203 of the Complaint in response to the allegations contained in Paragraph 204.

205. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 205 of the Complaint.

206. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 206 of the Complaint.

207. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 207 of the Complaint.

208. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 208 of the Complaint.

209. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 209 of the Complaint.

210. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 210 of the Complaint.

211. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 211 of the Complaint.

212. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 212 of the Complaint.

213. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 213 of the Complaint.

214. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 214 of the Complaint.

215. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 215 of the Complaint.

216. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 216 of the Complaint.

217. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 217 of the Complaint.

COUNT XII
BREACH OF IMPLIED WARRANTY AGAINST INTERLINE BRANDS, INC.

218. MTD hereby incorporates by reference its responses to Paragraphs 1-217 of the Complaint in response to the allegations contained in Paragraph 218.

219. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 219 of the Complaint.

220. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 220 of the Complaint.

221. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 221 of the Complaint.

222. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 222 of the Complaint.

223. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 223 of the Complaint.

224. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 224 of the Complaint.

225. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 225 of the Complaint.

226. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 226 of the Complaint.

227. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 227 of the Complaint.

228. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 228 of the Complaint.

229. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 229 of the Complaint.

230. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 230 of the Complaint.

231. MTD is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 231 of the Complaint.

232. MTD hereby denies each and every allegation contained in the Complaint which has not been heretofore admitted or otherwise specifically addressed.

AFFIRMATIVE DEFENSES

233. MTD hereby invokes the doctrine of comparative fault with respect to the alleged manufacturer of the subject product, Defendant Zhejiang Dingbo Plumbing Manufacturing Co., LTD, based upon the allegations made against the manufacturer set forth in the Complaint.

234. MTD invokes the doctrine of comparative fault with respect to the person/entity which installed the subject product, which was identified in the Complaint as "Clifton R. Myers of Myers Plumbing, Inc." Improper installation of the subject product can result in failure. Specifically, the subject part should be hand-tightened as opposed to other means.

235. MTD invokes the doctrine of comparative fault against the individual(s) and/or entity responsible for the excessive water pressure within the home. The identity of such individual(s) or entity is not currently known.

236. The subject product is believed to be certified by IAPMO with respect to design, specifications, and performance.

WHEREFORE, the Defendant, MTD (USA) CORPORATION, respectfully requests that the Complaint filed against it be dismissed with prejudice and with all costs taxed to the plaintiff. In the alternative, Defendant MTD (USA) CORPORATION demands a jury of six (6) persons to try the issues in this lawsuit.

Respectfully submitted,

/s/Michael A. Geraciotti
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BRIAN D. CUMMINGS, #19354
LINDA A. NATHENSON, #16494
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was electronically filed on the 6th day of December 2013, with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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